

CCR IMPACTS PLACEMENT CASES IN FIVE WAYS

1. Changes to Permanent Plan Options

- Another planned permanent living arrangement (APPLA) is limited to children 16 and older.¹
- Placement with a fit and willing relative is an acceptable permanent plan.
- Tribal customary adoption is an acceptable permanent plan.
- Placement in foster care is not a permanent plan option; a child may remain in foster care placement while the identified permanent plan is achieved.

2. Starting 1/1/17, placement in a group home cannot be a child's permanent plan

- Traditional group homes are being replaced by STRTPs, which are intended to provide short term, intensive treatment for the child.²
- The case plan must describe why STRTP placement is necessary and set forth how the agency plans to transition the child to a less restrictive environment and the timeline of that transition.³
- Placements in an STRTP that last longer than six months must be approved by the deputy director of the relevant agency.⁴

3. New findings are required

- Inquiry into whether the agency is making diligent efforts to find family members required at more hearings (permanency hearing where services are terminated and all hearings until permanent plan achieved).⁵
- Describe the barriers to achieving the child's permanent plan.⁶
- For children 16 and over in APPLA:
 - Ask the child where he/she wants to live.
 - Determine whether APPLA is the best permanent plan and describe why it is.
 - State the compelling reasons why other permanent plan options are not in the child's best interest.
 - Describe the ongoing and intensive efforts to return the child home or finalize the permanent plan.⁷

What is CCR?

The Continuum of Care Reform (CCR) is a comprehensive legislative⁸ effort to overhaul the foster care system, creating greater emphasis on permanence and relative placements and limiting the use of congregate care.

What is the purpose of CCR?

- To establish permanent, supportive families for children in out of home care.
- To focus on the placement and service needs of children who remain in out of home care.
- To limit the use of group home care.

How does the legislation attempt to achieve these goals?

Additional case plan and social study requirements, along with new findings and orders mandates, ensure the court and justice partners are thinking about the child's permanent plan.

Doing away with traditional group homes as an accepted foster placement seeks to ensure children will be placed in family settings, rather than institutional ones.

What is an STRTP?

STRTP stands for short term residential therapeutic program and are intended to replace traditional group homes. STRTPs are intended to provide short-term, high quality intensive treatment for children. The child's case plan must identify the need for, the nature of, and anticipated duration of the specialized treatment.

¹ Welf. & Inst. Code §§ 16501; 727.2; 366.3; 366.35. Unless otherwise indicated, all further citations are to the Welfare and Institutions Code.

² § 11400.

³ §§ 361.2; 16501.1.

⁴ § 361.2.

⁵ Fam. Code § 7950.

⁶ § 366.21.

⁷ § 366.

⁸ Assembly Bill 403 (Stone; Stats. 2016, ch. 773); Senate Bill 794 (Comm. on Hum. Svcs.; Stats. 2016, ch. 794).

4. New case plan/social study requirements⁹

- The social study must describe the barriers to achieving the permanent plan and how the barriers are being addressed.
- For children 16 and over in APPLA the social study must:
 - Describe the ongoing and intensive efforts to finalize the permanent plan.
 - Discuss whether the caretaker is applying the reasonable and prudent parent standard, as well as how the caretaker is engaging the child in age and developmentally appropriate activities.
- The case plan must:
 - Incorporate the recommendations of the child and family team and describe inconsistencies, if any, between recommendations.¹⁰

5. Begin planning for the transition to successful adulthood earlier¹¹

- The term “independent living” has been changed to successful adulthood.
- The agency must begin providing services geared toward successful adulthood to children 14 and older in out of home care.
- The court must determine whether services needed to assist a child 14 or over in the transition to successful adulthood are being provided.

THE RELATIONSHIP BETWEEN CCR AND RESOURCE FAMILY APPROVAL (RFA)

- RFA is the new approval process caregivers must go through before a child may be placed in their home.
- A caregiver who has successfully completed the RFA process will be an approved adoptive home.
- Like CCR, the goal of RFA is to achieve permanence for more children more quickly, by ensuring that children are placed in homes that qualify as adoptive homes.
- While RFA may not be discussed often in court - because it is a process that takes place outside the courtroom - courts should be aware that it is a more intensive and time-consuming process.

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Additional resources:

California Dependency Online Guide (CalDOG) <http://cdependencyonlineguide.info/>

California Department of Social Services (CDSS) <http://www.cdss.ca.gov/cdssweb/PG4869.html>

Continuum of Care Reform (CCR) Email Box ccr@dss.ca.gov

⁹ §§ 366.3; 706.5; 706.6.

¹⁰ § 16501.1; see also § 832.

¹¹ §§ 706.6; 366.3.